REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	15 June 1999
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Private Sex 16
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Milcap Publishing Group AB
Author:	Not Applicable
Format:	Magazine
Country of Origin:	Not Stated
Languages:	English, Spanish, German, French

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

Either

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept
and
That the publication must be publicly displayed only in a sealed package
and
That where the publication is publicly displayed in a package, the package must be made of opaque material.

Or

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept
and
That the publication must be publicly displayed only in a sealed package
and
That the publication must be publicly displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Private Sex 16* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

This magazine is a glossy full colour publication which measures approximately 23.5 cm high by 16.5 cm wide. It contains five photo-stories entitled *English cherries*, *Amanda versus Mercedes*, *Lisa & Angelica*, *Up front & behind*, and *Amongst friends*. Each photo-story depicts adults engaging in sexual activity which is depicted in an explicit manner. Text accompanies each photo-story. There are also advertisements for sexually explicit videos, magazines, and advertisements for sex related products such as dildos, vibrators, lubricants, and telephone sex.

This restrictive classification is because the magazine is dominated by depictions and descriptions of sexual activity which are presented in an explicit yet friendly and relaxed manner. Some of the depictions and descriptions degrade and dehumanise the participants to a moderate extent and degree by the following means: close focus depictions of genitals and sexual activity, including double penetration, fellatio, and ejaculate on women's faces; and descriptions which present the women participants as being sexually available and insatiable. However, such depictions and descriptions are outweighed by fuller body depictions of sexual activity and elements which do not degrade or dehumanise the participants.

The New Zealand Bill of Rights Act 1990 (NZBR Act) has been balanced against the relevant criteria of the Films, Videos, and Publications Classification Act 1993. A restriction on the availability of the magazine is appropriate because of its explicit sexual contents. This restriction on the right to freedom of expression is both reasonable and justified as outlined in s5 of the NZBR Act.

OFLC Ref: 9900564